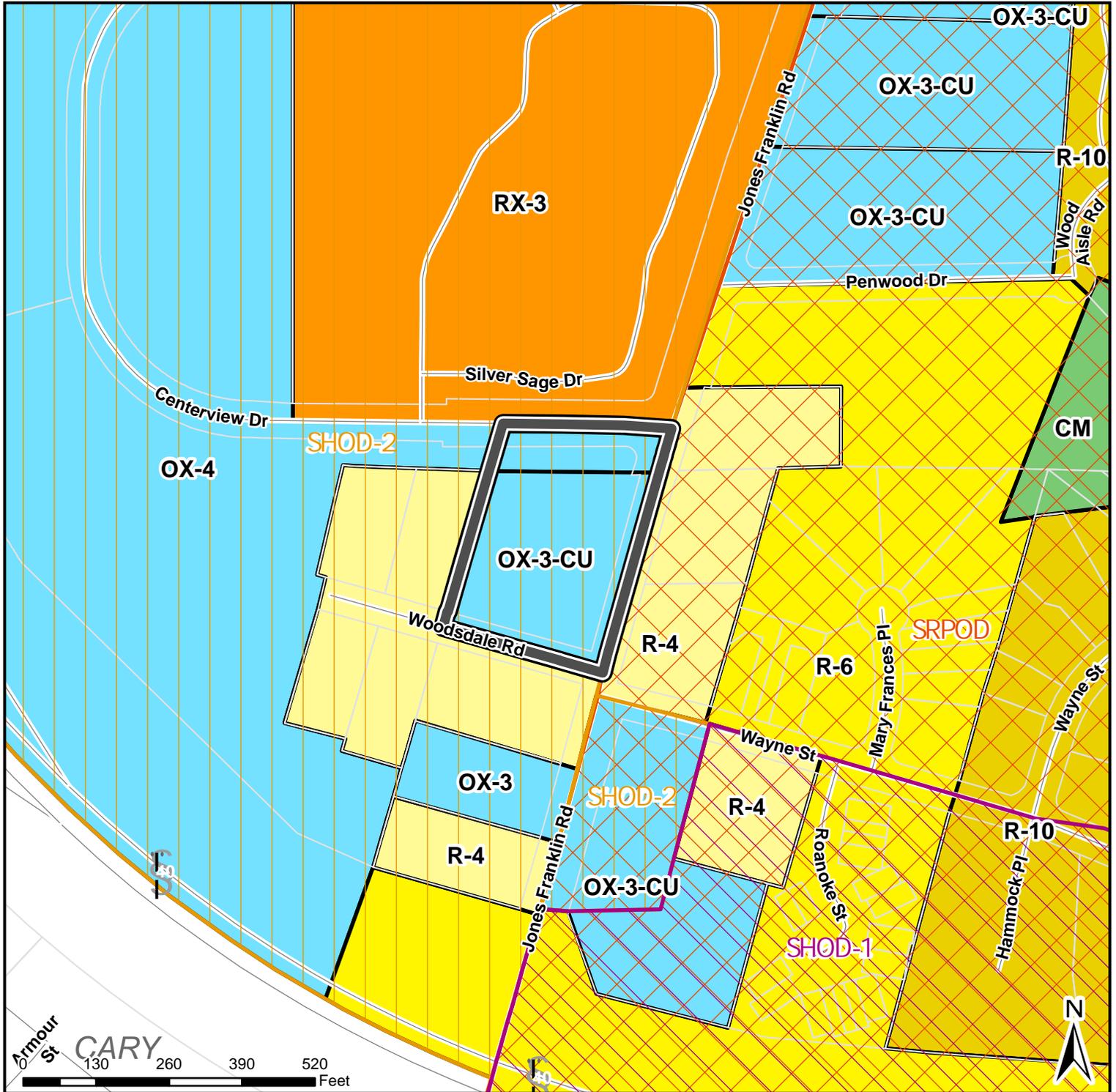
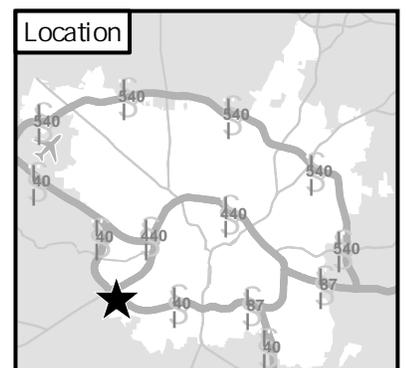


Existing Zoning

Z-17-2023



| | |
|------------------|-------------------------|
| Property | 1504 Jones Franklin Rd |
| Size | 2.05 acres |
| Existing Zoning | OX-3-CU & OX-4 w/SHOD-2 |
| Requested Zoning | OX-4-CU w/SHOD-2 |





Rezoning Application and Checklist

Planning and Development Customer Service Center • One Exchange Plaza, Suite 400 | Raleigh, NC 27601 | 919-996-2500

Please complete all sections of the form and upload via the Permit and Development Portal (permitportal.raleighnc.gov). Please see page 11 for information about who may submit a rezoning application. A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved. For questions email rezoning@raleighnc.gov.

| Rezoning Request | | | |
|--|---|---|---|
| Rezoning Type | <input type="checkbox"/> General use | <input checked="" type="checkbox"/> Conditional use | <input type="checkbox"/> Master plan |
| | <input type="checkbox"/> Text change to zoning conditions | | |
| | | | OFFICE USE ONLY Rezoning case # |
| Existing zoning base district: OX | Height: 3 | Frontage: | Overlay(s): SHOD-2 |
| Proposed zoning base district: OX | Height: 4 | Frontage: | Overlay(s): SHOD-2 |
| Helpful Tip: View the Zoning Map to search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers. | | | |
| If the property has been previously rezoned, provide the rezoning case number: Z-53-05 | | | |

| General Information | | |
|--|---|---|
| Date: 3/08/2023 | Date amended (1): | Date amended (2): |
| Property address: 1504 Jones Franklin Rd | | |
| Property PIN: 0783014897 | | |
| Deed reference (book/page): 018688/ 02664 | | |
| Nearest intersection: Centerview Dr | | Property size (acres): 2.05 |
| For planned development applications only: | Total units: | Total square footage: |
| | Total parcels: | Total buildings: |
| Property owner name and address: Ferris 5 Properties LLC | | |
| Property owner email: debraferris@outlook.com , djferrisjr@bellsouth.net | | |
| Property owner phone: 919-316-9217 | | |
| Applicant name and address: Debra & David Ferris for Ferris 5 Properties LLC | | |
| Applicant email: debraferris@outlook.com , djferrisjr@bellsouth.net | | |
| Applicant phone: 919-316-9217 | | |
| Applicant signature(s): | DocuSigned by: <i>Debra Ferris</i> 6D6E57828DF9431... | DocuSigned by: <i>David J. Ferris, Jr.</i> DFC6FAA2DA5240B... |
| Additional email(s): bvega@withersravenel.com , psmith@withersravenel.com | | |

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By Robert Tate at 4:42 pm, Mar 24, 2023

| Conditional Use District Zoning Conditions | | |
|--|------------------|------------------------------------|
| Zoning case #: | Date submitted: | OFFICE USE ONLY Rezoning case # |
| Existing zoning: | Proposed zoning: | |

| Narrative of Zoning Conditions Offered |
|--|
| <p>1. The following uses shall be prohibited on the property: Cemetery; Telecommunication Tower (>250 ft.); Outdoor Sports or Entertainment Facility; Commercial Parking Lot; Remote Parking Lot; Heliport, all others; Detention Center, Jail, Prison; Plant Nursery</p> |

The property owner(s) hereby offers, consents to, and agrees to abide, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.

Property Owner(s) Signature:
DocuSigned by:
Debra Ferris
6D6E57828DF9431...
DocuSigned by:
David J. Ferris, Jr.
DFC6FAA2DA3240B...

Printed Name: Debra Ferris David J. Ferris, Jr.

RECEIVED
 By Robert Tate at 4:42 pm, Mar 24, 2023

| Rezoning Application Addendum #1 | |
|---|---|
| Comprehensive Plan Analysis | OFFICE USE ONLY Rezoning case # <hr style="width: 20%; margin: 10px auto;"/> |
| The applicant is asked to analyze the impact of the rezoning request and its consistency with the Comprehensive Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest. | |
| Statement of Consistency | |
| Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan. | |
| <p>This project is consistent with the Future Land Use Designation, which is shown as Moderate Density Residential (MoDR).</p> <p>The Urban Form Map is not applicable to this location.</p> <p>The following policies contained within the 2030 Comprehensive Plan are applicable; Policy LU 1.3 - Conditional Use District, Policy LU 2.2 - Compact Development, Policy LU 4.10 - Development at Freeway Interchanges, Policy LU 7.3 - Single-family Lots on Major Streets, Policy LU 7.4 - Scale and Design of New Commercial Uses, Policy LU 8.1 - Housing Variety, Policy LU 8.3 - Conserving, Enhancing and Revitalizing Neighborhoods, and Policy LU 1.8 - Zoning for Housing.</p> <p>See attached for policy information and consistencies.</p> | |
| Public Benefits | |
| Provide brief statements explaining how the rezoning request is reasonable and in the public interest. | |
| <p>The requested rezoning will allow for different uses and could contribute either by an increase in the supply and variety of housing types in the surrounding area or new commercial uses that may expand employment and retail opportunities in the surrounding area.</p> | |

| Rezoning Application Addendum #2 | |
|---|--|
| Impact on Historic Resources | OFFICE USE ONLY Rezoning case # <hr/> |
| The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District. | |
| Inventory of Historic Resources | |
| List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource. | |
| There are no historic resources on the property. | |
| Proposed Mitigation | |
| Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above. | |
| No negative impacts will require the need to be mitigated. | |

Urban Design Guidelines

The applicant must respond to the Urban Design Guidelines contained in the 2030 Comprehensive Plan if:

- a) The property to be rezoned is within a "City Growth Center" or "Mixed-Use Center", OR;
- b) The property to be rezoned is located along a "Main Street" or "Transit Emphasis Corridor" as shown on the Urban Form Map in the 2030 Comprehensive Plan.

Urban form designation: N/A

Click [here](#) to view the Urban Form Map.

| | |
|----------|--|
| 1 | <p>All Mixed-Use developments should generally provide retail (such as eating establishments, food stores, and banks), and other such uses as office and residential within walking distance of each other. Mixed uses should be arranged in a compact and pedestrian friendly form.</p> <p>Response:</p> |
| 2 | <p>Within all Mixed-Use Areas buildings that are adjacent to lower density neighborhoods should transition (height, design, distance and/or landscaping) to the lower heights or be comparable in height and massing.</p> <p>Response:</p> |
| 3 | <p>A mixed-use area's road network should connect directly into the neighborhood road network of the surrounding community, providing multiple paths for movement to and through the mixed-use area. In this way, trips made from the surrounding residential neighborhood(s) to the mixed-use area should be possible without requiring travel along a major thoroughfare or arterial.</p> <p>Response:</p> |
| 4 | <p>Streets should interconnect within a development and with adjoining development. Cul-de-sacs or dead-end streets are generally discouraged except where topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Street stubs should be provided with development adjacent to open land to provide for future connections. Streets should be planned with due regard to the designated corridors shown on the Thoroughfare Plan.</p> <p>Response:</p> |
| 5 | <p>New development should be comprised of blocks of public and/or private streets (including sidewalks). Block faces should have a length generally not exceeding 660 feet. Where commercial driveways are used to create block structure, they should include the same pedestrian amenities as public or private streets.</p> <p>Response:</p> |
| 6 | <p>A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use. Streets should be lined by buildings rather than parking lots and should provide interest especially for pedestrians. Garage entrances and/or loading areas should be located at the side or rear of a property.</p> <p>Response:</p> |

| Rezoning Checklist (Submittal Requirements) | | | | | |
|---|-------------------------------------|-------------------------------------|---------------------------------|--------------------------|--------------------------|
| To be completed by Applicant | | | To be completed by staff | | |
| General Requirements – General Use or Conditional Use Rezoning | Yes | N/A | Yes | No | N/A |
| 1. I have referenced this Rezoning Checklist and by using this as a guide, it will ensure that I receive a complete and thorough first review by the City of Raleigh | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Pre-application conference. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Neighborhood meeting notice and report | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Rezoning application review fee (see Fee Guide for rates). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Completed application submitted through Permit and Development Portal | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Completed Comprehensive Plan consistency analysis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Completed response to the urban design guidelines | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Two sets of stamped envelopes addressed to all property owners and tenants of the rezoning site(s) and within 500 feet of area to be rezoned. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Trip generation study | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Traffic impact analysis | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| For properties requesting a Conditional Use District: | | | | | |
| 11. Completed zoning conditions, signed by property owner(s). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If applicable, see page 11: | | | | | |
| 12. Proof of Power of Attorney or Owner Affidavit. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| For properties requesting a Planned Development or Campus District: | | | | | |
| 13. Master plan (see Master Plan submittal requirements). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| For properties requesting a text change to zoning conditions: | | | | | |
| 14. Redline copy of zoning conditions with proposed changes. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Proposed conditions signed by property owner(s). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Rezoning Application

1504 Jones Franklin Rd.

2030 Comprehensive Plan Applicable Policy Consistencies

Policy LU 1.3 Conditional Use District – All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

The proposed zoning conditions will prevent some of the more intense uses allowed in the proposed zoning district, limiting the overall scale of commercial development. These conditions make the request more consistent with the Comprehensive Plan policies in support of compatibility between adjacent uses and protection of neighborhoods.

Policy LU 2.2 Compact Development - New development and redevelopment should use a more compact land use pattern to support the efficient provision of public services, improve the performance of transportation networks, preserve open space, and reduce the negative impacts of low intensity and noncontiguous development.

The parcel being rezoned is in an urbanized area that is served by existing City infrastructure. Future development in this area could be denser than what is allowed by the existing zoning and would allow a mix of uses that may be complementary to each other and the surrounding area.

Policy LU 4.10 Development at Freeway Interchanges - Development near freeway interchanges should cluster to create a node or nodes located at a nearby intersection of two streets, preferably classified two-lane avenue or higher, and preferably including a vertical and/or horizontal mix of uses. Development should be encouraged to build either frontage or access roads behind businesses to provide visibility to the business from the major street while limiting driveway connections to the major street.

The interchange of Jones Franklin with I-440 is north of the rezoning property. The west side of Jones Franklin Road has an existing cluster of mixed-use development. The rezoning request would add to the cluster of development on a street planned to have six vehicle lanes in the future. The request would also allow vertical and horizontal mixing of uses.

Policy LU 7.4 Scale and Design of New Commercial Uses - New uses within commercial districts should be developed at a height, mass, scale, and design that is appropriate and compatible with surrounding areas.

The limited use standards for commercial uses within the requested OX district restricts the size of retail space and restaurants. The limited use standards in OX for Eating Establishment (restaurant) uses require a building containing a restaurant to be located at least 150 feet from any residential district. These standards help to ensure that the scale and location of commercial development under the proposal would be compatible with existing or potential residential development in the area.

Policy LU 8.1 Housing Variety - Accommodate growth in newly developing or redeveloping areas of the city through mixed use neighborhoods with a variety of housing types.

The requested zoning would allow residential building types. The quantity and types of housing permitted by the proposal would be greater than those permitted by the current zoning.

Policy LU 8.3 Conserving, Enhancing, and Revitalizing Neighborhoods - Recognize the importance of balancing the need to increase the housing supply and expand neighborhood commerce with the parallel need to protect neighborhood character, preserve historic resources, and restore the environment.

The area adjacent the rezoning site displays a variety of uses (office, multifamily, small businesses, single family). This site which is currently vacant could add to the enhancement of the area with appropriate scale uses.

Policy H 1.8 Zoning for Housing - Ensure that zoning policy continues to provide ample opportunity for developers to build a variety of housing types, ranging from single-family to dense multi-family. Keeping the market well supplied with housing will moderate the costs of owning and renting, lessening affordability problems, and lowering the level of subsidy necessary to produce affordable housing.

This rezoning would allow for a variety of uses. These uses will not exclude residential.



Date: February 7, 2023

Re: Potential TEXT CHANGE TO ZONING CONDITIONS of 1504 JONES FRANKLIN RD

Neighboring Property Owners and Tenants:

You are invited to attend a neighborhood meeting on **2/22/2023 from 5:30 pm - 6:30 pm**. The meeting will be held at **Location: Carolina Pines Community Center, Carolina Pines CC Large Club Room. Address: 2305 Lake Wheeler Rd, Raleigh, NC, 27603**, and will begin at 5:30 pm.

The purpose of this meeting is to discuss a potential rezoning of the property located at 1504 Jones Franklin Rd (PIN # 0783014897). This site is currently zoned OX-3-CU and is proposed to be rezoned to OX-4-CU.

Prior to the submittal of any rezoning application, the City of Raleigh requires that a neighborhood meeting be held for all property owners and tenants within 500 feet of the area requested for rezoning.

Information about the rezoning process is available online; visit www.raleighnc.gov and search for "Rezoning Process." If you have further questions about the rezoning process, please contact Raleigh Planning & Development at 919-996-2682 (option 2) or rezoning@raleighnc.gov.

If you have any concerns or questions about this potential rezoning I (WE) can be reached at: Brendie Vega, 919-535-5212, bvega@withersravenel.com

Sincerely,

Brendie Vega, AICP, CNU-A
Director of Planning, Design + Planning

Attestation Statement

I, the undersigned, do hereby attest that the electronic verification document submitted herewith accurately reflects notification letters, enclosures, envelopes, and mailing list for mailing the neighborhood meeting notification letters as required by Chapter 10 of the City of Raleigh UDO, and I do hereby further attest that I did, in fact, deposit all of the required neighborhood meeting notification letters with the US. Postal Service on the 8th, day of February 2023. I do hereby attest that this information is true, accurate, and complete to the best of my knowledge and I understand that any falsification, omission, or concealment of material fact may be a violation of the UDO subjecting me to administrative, civil, and/or, criminal liability, including, but not limited to, invalidation of the application to which such required neighborhood meeting relates.

DocuSigned by:
Brendie Vega
E6E951D487FB4BF...

Signature of Applicant/Applicant Representative

2/13/2023

Date

RECEIVED
By Robert Tate at 4:42 pm, Mar 24, 2023

SUMMARY OF ISSUES

A neighborhood meeting was held on February 8, 2023 (date) to discuss a potential rezoning located at 1504 Jones Franklin Rd (property address). The neighborhood meeting was held at Carolina Pines Community Center (location). There were approximately 1 (number) neighbors in attendance. The general issues discussed were:

Summary of Issues:

| |
|--|
| |
| One neighbor was in attendance and asked about a future end user; existing zoning conditions; height; uses especially drive-thru restaurants; and driveway access. |
| Applicant responded, there is no purchaser in line or any business lined up for this site. Simply trying to clean up very old zoning conditions that no longer apply and have been seen as a barrier to interested parties. |
| The uses excluded in the current zoning conditions do not accurately reflect how the frontage of Jones Franklin has developed. |
| The applicant is seeking an OX-4-CU which will allow for up to 4 stories. If this parcel develops alone, it will have to provide a transition yard to the adjacent sites with residential zoning. Parking requirements may make it difficult for this site alone to get 4 stories. |
| The applicant went through all the uses and discussed which they are listing as prohibited. The district only allows a percentage of retail/ food and does not allow drive thru restaurants. |
| |
| |

